

### **I. Call Meeting to Order**

Mayor Charles Henderson called the meeting to order at 7:00 p.m.

The audience recited the Pledge of Allegiance in unison after which Associate Pastor Matt Giebler of the Greenwood Christian Church led in prayer.

PRESENT: Council Members Bruce Armstrong, Ron Bates, Brent Corey, Ron Deer, Linda Gibson, Ms. Magna-Rees, and Mr. McLaughlin; Clerk Treasurer Jeannine Myers; City Attorney Shawna Koons.

### **II. Minutes of the Regular Meeting on April 19<sup>th</sup>, 2010**

Mr. Bates moved to approve the regular meeting minutes of the Greenwood Common Council of April 19<sup>th</sup>, 2010. Second by Mr. Corey. **Vote: Ayes: Mr. Armstrong, Mr. Bates, Mr. Corey, Mr. Deer, Ms. Gibson, and Mr. McLaughlin. Abstain: Ms. Magna-Rees. Motion carries.**

Mayor Charles Henderson stated that White River Township Greenwood Reorganization Committee Chairman Pat Sherman would not be presenting the budgets for the amended plan of reorganization as the White River Township Board prefers that be done in a Joint Meeting.

### **III. Unfinished Business**

#### **A. Items from the City Attorney**

City Attorney Shawna Koons asked the Council Members if they had received the copy of the report on the Matters of Litigation, and if there were any questions.

#### **B. Committee Reports**

Ms. Gibson stated that there hadn't been anything since the last Planning Commission meeting.

### **IV. Ordinances and Resolutions in Process**

#### **1. Notice of Intent to Consider**

**ORDINANCE NO. 10-14** - AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP ADOPTED BY REFERENCE IN ZONING ORDINANCE NO. 82-1 ENTITLED "AN ORDINANCE ESTABLISHING COMPREHENSIVE ZONING REGULATIONS FOR THE CITY OF GREENWOOD, INDIANA, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF, IN ACCORDANCE WITH THE PROVISIONS OF I.C. 36-7-4-600 et seq. LAWS OF INDIANA AS AMENDED, AND FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HERewith" (Proposed Rezoning of 2435 S. SR 135, commonly known as the Morrison Property)

Moved by Mr. Bates. Second by Mr. Deer. Robert Morrison, owner of U Dirty Dawg, stated that his store has grooming and pets for sale. Mr. Morrison requested to change the zoning so that he can add veterinary services to the business. Mr. Corey confirmed that all expansions were complete. Mr. Morrison explained that he had added slats to the fence to keep down barking and the view. Ms. Gibson stated that the Planning Commission's vote was favorable 6:3 but there was a concern from the residential area that there would be an increase in business, traffic, and dogs. Mr. Morrison stated that the work being done on the six foot fence will cost \$3,000 and that there is a whole lot between his property and the nearest resident. Michelle Vansickle, homeowner living nearest to U Dirty Dawg, stated the building up front is full so the house will have to be used for the veterinary services. Lack of parking is another concern. The fence is six feet high but it is chain link. There are already many veterinarians nearby. Mr. Deer asked for clarification as to what would be detrimental. Ms. Vansickle stated that the

veterinary service would be in the house and the traffic would take up space in the one car lane that is the only access to the houses. Mr. Morrison stated that the house and garage are already zoned for business and that two cars can pass each other on the narrow lane. There is enough space for the veterinarian in the current business. Mr. Corey called for question. **Vote: Ayes. Debate suspended.**

**Vote: Ayes: Mr. Bates, Mr. Deer, Ms. Magna-Rees, and Mr. McLaughlin. Nays: Mr. Corey, Ms. Gibson, and Mr. Armstrong. Ordinance No. 10-14 passes.**

## **2. First Reading**

**ORDINANCE NO. 10-15** - AN ORDINANCE TO REPEAL GREENWOOD MUNICIPAL CODE (1993), AS AMENDED, CHAPTER 4, ARTICLE 2, DIVISION V, SECTION 4-60 "DOG TAGS", TO ELIMINATE THE LICENSING OF DOGS

Moved by Mr. Bates. Second by Mr. Corey. **Vote: Ayes. Passed first reading.**

Ms. Magna-Rees moved for a suspension of the rules for second reading. Second by Ms. Gibson. **Vote: Ayes. Rules suspended through second reading.**

Moved by Mr. Corey. Second by Mr. McLaughlin. **Vote: Ayes. Passed second reading.**

## **3. Second Reading**

**ORDINANCE NO. 10-08** - AN ORDINANCE TRANSFERRING FUNDS WITHIN THE BUDGET OF THE FIRE DEPARTMENT (\$45,000.00)

Moved by Mr. Bates. Second by Mr. Deer. **Vote: Ayes. Passed second reading.**

**ORDINANCE NO. 10-09** - AN ORDINANCE AMENDING THE 2010 SALARY ORDINANCE, COMMON COUNCIL ORDINANCE NO. 09-25, ESTABLISHING A CLOTHING ALLOWANCE FOR SWORN AND CIVILIAN MEMBERS OF THE FIRE DEPARTMENT

Moved by Mr. Bates. Second by Mr. Corey. **Vote: Ayes. Passed second reading.**

**ORDINANCE NO. 10-10** - AN ORDINANCE TO AMEND GREENWOOD COMMON COUNCIL ORDINANCE NO. 87-61 AND GREENWOOD MUNICIPAL CODE (1993), AS AMENDED, CHAPTER 5, ARTICLE 2, SEC. 5-13, TO PROVIDE THAT INTOXICATING BEVERAGES WILL BE ALLOWED ON PARK PROPERTY FOR SPECIFIC EVENTS AT THE DISCRETION OF THE PARK AND RECREATION BOARD

Moved by Ms. Magna-Rees. Second by Ms. Gibson. Mayor Charles Henderson stated that this was amended to provide that it may be allowed at the discretion of the Park and Recreation Board. Mike Sawa, President of the Park and Recreation Board, stated that the board felt that those who made the ordinances should also be the ones to amend them. The Board is in favor of events such as WAMM Fest and there will be other events that will request to allow alcohol. **Vote: Ayes: Mr. Corey, Mr. Deer, Ms. Gibson, Ms. Magna-Rees, Mr. McLaughlin. Nays: Mr. Armstrong, and Mr. Bates. Passed second reading.**

**ORDINANCE NO. 10-11** - AN ORDINANCE PROVIDING FOR AN ADDITIONAL APPROPRIATION FROM THE LOCAL LAW ENFORCEMENT CONTINUING EDUCATION FUND TO THE POLICE DEPARTMENT FOR CONTINUING EDUCATION AND TRAINING OF LAW ENFORCEMENT OFFICERS

Moved by Mr. Bates. Second by Mr. Deer. **Vote: Ayes. Passed second reading.**

**ORDINANCE NO. 10-12** - AN ORDINANCE TO ESTABLISH A SPECIAL NON-REVERTING FUND TO ADMINISTER MONIES RECEIVED BY THE FIRE DEPARTMENT FROM RESTRICTIVE DONATIONS FOR CHILD CAR SEAT INSPECTION, INSTALLATION INSTRUCTION, PURCHASE AND DISTRIBUTION ACTIVITIES

Moved by Mr. Bates. Second by Ms. Magna-Rees. **Vote: Ayes. Passed second reading.**

**ORDINANCE NO. 10-13** - AN ORDINANCE PROVIDING FOR AN ADDITIONAL APPROPRIATION FROM THE GENERAL FUND TO THE BOARD OF PUBLIC WORKS AND SAFETY FOR GREENWOOD FIRE DEPARTMENT HEALTH INSURANCE (\$376,900)

Moved by Mr. Bates. Second by Mr. Corey. **Vote: Ayes. Passed second reading.**

#### **4. Introductions of ordinances and resolutions**

**RESOLUTION NO. 10-03** - A RESOLUTION DECLARING A CERTAIN AREA WITHIN THE CITY OF GREENWOOD AN ECONOMIC REVITALIZATION AREA AND QUALIFYING CERTAIN LOGISTICAL DISTRIBUTION EQUIPMENT FOR PROPERTY TAX ABATEMENT AND SETTING THE TIME AND PLACE FOR A PUBLIC HEARING THEREON (Southern Wine and Spirits of Indiana, LLC)

Katie Culp, of Cassidy Turley, gave a presentation on what the project had to offer for the City.

**ORDINANCE NO. 10-16** - AN ORDINANCE TO REPEAL GREENWOOD COMMON COUNCIL ORDINANCE NO. 64-4 AND GREENWOOD MUNICIPAL CODE (1993), AS AMENDED, CHAPTER 8, ARTICLE 7, "BICYCLES", AND TO AMEND CHAPTER 2, ARTICLE 6, SECTION 2-38, "SCHEDULE OF ORDINANCES AND CIVIL PENALTIES" TO DELETE BICYCLE VIOLATIONS

**ORDINANCE NO. 10-17** - AN ORDINANCE PROVIDING FOR AN ADDITIONAL APPROPRIATION FROM THE GENERAL FUND (\$542,190.56) TO THE BOARD OF PUBLIC WORKS AND SAFETY FOR COMPLETION OF IMPROVEMENTS PURSUANT TO PERFORMANCE GUARANTEE DRAWS

**ORDINANCE NO. 10-18** - AN ORDINANCE TO RE-ESTABLISH A GREENWOOD CUMULATIVE CAPITAL DEVELOPMENT FUND UNDER I.C. 36-9-15.5

#### **V. Miscellaneous Business**

##### **A. Council**

Mr. Corey stated that some residents in Featherstone II are concerned by the condition of the roads and the street lighting. Director of Community Development Services and City Engineer Mark Richards explained that the developer is doing repairs prior to installing the final surface and anticipates it will be done in two weeks. Mr. Richards will look into the street light status as he is not sure any were required.

Ms. Magna-Reese asked what the status is for the Sign Code. Mr. Corey replied that there was a meeting today and there will be another meeting regarding banners on Friday May 7<sup>th</sup> 2010 at 9:15 a.m. at the Community Development Services Building.

Ms. Magna-Rees stated that Bowl for the Cure occurs on Friday May 7<sup>th</sup> 2010 from 6:00 p.m. to 9:00 p.m. at Southern Bowl.

Mr. Deer asked what the proper procedures are for nuisances such as high grass and dilapidated houses. City Attorney Shawna Koons replied that notices are given and the owner is cited into the Board of Public Works and Safety, and a time limit for abating the nuisance is ordered.

##### **B. Clerk Treasurer**

None.

### C. City Attorney

City Attorney Shawna Koons presented the following Uniform Conflict of Interest Disclosure Statement:

Mike Weaver, Greenwood Street Department, for his son Mitch Weaver, part time employee for the Greenwood Parks and Recreation Maintenance Department, for any interest he may have in his earnings. Mr. McLaughlin moved to approve the Conflict of Interest Disclosure Statement as presented. Second by Mr. Deer. **Vote: Ayes. Motion carries.**

City Attorney Shawna Koons stated that Tax Statements had gone out to the owners of property in Annexation areas that were annexed in 2009 but because of the census they are not effective until 2010, and taxes are not due until 2011. Also, there were properties annexed with agricultural zoning which are exempt from City Tax for ten years and they also received Tax Statements. The Johnson County Auditor has been informed of the situation and is working with the City to correct it.

### D. Audience

Joe Nichols, 1143 Crescent Drive, stated his concern for the roads in Fairview. Mayor Charles Henderson stated that those roads will be dealt with soon. Mr. Nichols stated that the new trash service has left skid marks everywhere. Mr. Nichols stated that in Clearbrook Park there is no parking, but there are so many cars that there is only room for one car to drive through. Mayor Charles Henderson stated that he would look into the trash issue and instructed that the information about Clearbrook Park be passed on to Police Chief Joe Pitcher.

Jim Lucky, owner of an airplane in a hangar at the Greenwood Airport, stated he had tried to get in contact with the Board of Aviation Commissioners. Mr. Lucky stated he represented General Aviation on the Indianapolis Board for eight years. There have been complaints from a hospital in Indianapolis because of the Traffic Pattern. Mr. Lucky stated that the Federal Aviation Administration had contacted him about the issue. Mr. Lucky stated that the Board of Aviation Commissioners would not discuss the issue with him. The Traffic Pattern needs to be revised to avoid another accident like the one that happened in the past. Mayor Charles Henderson stated that he will be meeting with the president of the Board of Aviation Commissioners and will bring this situation to his attention.

City Engineer and Director of Community Development Services Mark Richards requested funding for equipment to do mapping and data collection. The Indiana Department of Environmental Management has the MS-4 Program and it is required to be in electronic format on GIS. In the future the Indiana Department of Transportation will require an inventory of signage which will also require the use of the GIS equipment. There are many other benefits to having this equipment and it only needs one operator. The GIS equipment will cost \$11,990 from Schneider Engineering. The Director of Operations suggested the use of Rainy Day Funds. Ms. Gibson moved to approve the expenditure of \$11,990 of Rainy Day Funds for the GIS equipment. Second by Mr. Corey. **Vote: Ayes. Motion carries.**

Ms. Magna-Rees confirmed that the Fry Road Project is on schedule. Mr. Richards stated that November 12<sup>th</sup> 2010 is the contractual completion date.

Mayor Charles Henderson stated that the fire turnout equipment has a five year life expectancy. Fire Chief James Sipes stated that there are 30 full time employees and 70 part time employees. The fire gear has to be fit to an individual and it costs \$1,800 a person. The goal is to replace twenty sets a year but that has not been financially possible. Fire Chief James Sipes stated that he believes the most cost efficient way to deal with this is to use Cumulative Capital Improvement funds to enter in to a lease purchase agreement for the fire gear. The plan would be to purchase one hundred sets on a five year lease purchase that would cost \$35,000 to \$40,000 per year. Purchasing these

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now in bulk would save money rather than a small amount at a time. This will also provide extra back up gear which is very important to the safety of the firefighters. Fire Chief James Sipes asked for approval from the Board to enter into negotiations for a lease purchase agreement. Mayor Charles Henderson stated that a decision will not be made tonight and that more information will be needed and further discussed.

Fire Chief James Sipes stated that Engine 91 has been replaced and now the 1984 reserve engine needs to be replaced. It is possible to cut the cost in half by buying an engine that is a couple years old with few miles and is slightly lesser quality, or medium duty truck. This should lower the maintenance costs drastically. Engines 92 and 93 were bought at the same time and have similar mileage and can run for several more years and would not be used as a reserve. The plan is to break down the cost of engines over a few years. It would be a seven to ten year lease purchase of \$30,000 to \$35,000 per year. Mayor Charles Henderson stated that this will be further discussed and a decision will be made at another time.

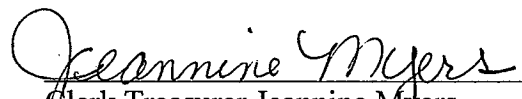
**E. Mayor**

Mayor Charles Henderson complimented the departments for doing various work, improvements, landscaping, and repairs on their own and helping each other.

**VI. Adjournment**

With no further business, the meeting adjourned at 8:46 p.m.

  
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Mayor Charles Henderson

  
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Clerk Treasurer Jeannine Myers

